

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler
v. : Crim. No. 11-0878 (SRC)
DOMINQUE AUSTON : ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Rodney C. Villazor, Assistant U.S. Attorney, appearing), and defendant Dominique Auston (Kevin Carlucci, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) The discovery involves a substantial amount of crack cocaine and defense counsel requires adequate time to review and advise his client;

(2) Taking into account the exercise of diligence, therefore, the facts of this case require that defense counsel be

permitted a reasonable amount of additional time for effective preparation in this matter;

(3) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;


(4) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 31 day of July, 2012,

ORDERED that this action be, and hereby is, continued until September 24, 2012; and it is further

ORDERED that the Court shall set a motion briefing schedule and trial date at a later date;

ORDERED that the period from the date of this order through September 24, 2012, shall be excludable in computing time under the Speedy Trial Act of 1974.

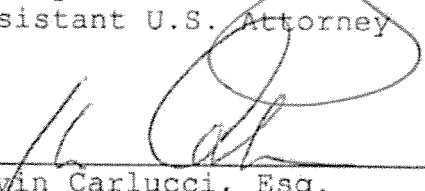


HON. STANLEY R. CHESLER
United States District Judge

Form and entry
consented to:



Rodney C. Villazor
Assistant U.S. Attorney



Kevin Carlucci, Esq.
Counsel for defendant Dominique Auston